

Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 EURE-00 CIAE-00 DODE-00 PM-03

H-02 INR-07 L-02 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 ACDA-05 SAM-01 SAJ-01 /074 W

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P R 161657Z APR 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 9441

INFO AMEMBASSY BERLIN

USMISSION USBERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

USMISSION USUN NEW YORK

C O N F I D E N T I A L BONN 06180

E.O. 11652: GDS

TAGS: PFOR, PORG, UN, GW, GE, WB

SUBJECT: EASTERN PROTESTS ON APPOINTMENT OF FRG OFFICIAL
TO UN COMMISSION

REF: A) BONN 5474; B) STATE 71711; C) USUN 0976

1. BONN GROUP IN MEETING APRIL 15 REACHED AD REF AGREE-
MENT ON TEXT FOR ALLIED REPLY IN UN TO SOVIET COMPLAINT
REGARDING FRG TRANS NATIONAL CORPORATION COMMISSION
DELEGATE. BECAUSE OF FRENCH AND BRITISH OPPOSITION
(REPORTED REFTEL A), NO AGREEMENT POSSIBLE ON ALLIED
APPROACH ON SUBJECT TO SOVIETS ON POLAD LEVEL. FRG
CURRENTLY PLANNING TO ISSUE SEPARATE LETTER ATTACHING
SELF TO REPLY OF THREE ALLIES, WHICH WILL BE SUBMITTED
TO ALLIES IN BONN GROUP.

2. ALLIED RESPONSE. BEGIN TEXT:

1. OPENING PARAGRAPH REFERRING TO MALIK'S LETTER

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(FOR DRAFTING BY UN MISSIONS).

2. THE CONTENTION OF THE PERM REP OF THE USSR THAT THE DESIGNATION OF DR. EBERHARD GUENTHER AS A REPRESENTATIVE OF THE FRG TO THE FIRST SESSION OF THE UN COMMISSION ON TRANSNATIONAL CORPORATIONS IS CONTRARY TO THE QA IS WITHOUT FOUNDATION. THIS AGREEMENT, WHICH WAS SIGNED IN BERLIN ON SEPT. 3, 1971 BY THE GOVERNMENTS OF FRANCE, THE UK, US AND USSR, CONTAINS NO PROVISION FROM WHICH SUCH A CONTENTION COULD BE DRAWN.

3. THE LOCATION OF THE FEDERAL OFFICE FOR THE SUPERVISION OF CARTELS AND TRUSTS IN THE WESTERN SECTORS OF BERLIN WAS APPROVED IN 1957 BY THE US, BRITISH AND FRENCH AUTHORITIES ACTING ON THE BASIS OF THEIR SUPREME AUTHORITY. THEY ARE SATISFIED THAT THE FEDERAL OFFICE FOR THE SUPERVISION OF CARTELS AND TRUSTS DOES NOT PERFORM IN THE WESTERN SECTORS OF BERLIN ACTS IN EXERCISE OF DIRECT STATE AUTHORITY OVER THE WSB. NEITHER THE LOCATION NOR THE ACTIVITIES OF THIS OFFICE IN THE WSB THEREFORE CONTRAVENE ANY OF THE PROVISIONS OF THE QA.

4. THE LETTER REFERRED TO ABOVE FROM THE SOVIET PERMANENT REPRESENTATIVE CONTAINS AN INCOMPLETE AND CONSEQUENTLY MISLEADING REFERENCE TO THE QA. THE RELEVANT PASSAGE OF THIS AGREEMENT TO WHICH THE SOVIET REPRESENTATIVE REFERRED PROVIDES THAT THE TIES BETWEEN THE WSB AND THE FRG WILL BE MAINTAINED AND DEVELOPED, TAKING INTO ACCOUNT THAT THESE SECTORS CONTINUE NOT TO BE A CONSTITUENT PART OF THE FRG AND NOT TO BE GOVERNED BY IT.

5. REGARDING OTHER COMMUNICATIONS ON THIS SUBJECT WHICH HAVE BEEN SENT TO THE SEC GEN, WE WISH TO POINT OUT THAT STATES WHICH ARE NOT PARTIES TO THE QA ARE NOT COMPETENT TO COMMENT AUTHORITATIVELY ON ITS PROVISIONS.

6. WE WISH TO STATE THAT OUR GOVERNMENTS REGRET THE ACTION OF THE SOVIET PERM REP IN INTRODUCING DISTRACTING IRRELEVANCIES INTO THE WORK OF THE UN.

7. CLOSING PARAGRAPH REQUESTING SAME CIRCULATION AS GIVEN MALIK'S LETTER (FOR DRAFTING BY UN MISSION).
END TEXT.

3. ACTION REQUESTED: RECOMMEND DEPARTMENT APPROVE
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ABOVE TEXT WHICH WOULD BE SENT TO UN SEC GEN AS JOINT
LETTER FROM THREE ALLIED PERM REPS.
HILLENBRAND

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC ACCREDITATION, DIPLOMATIC PROTESTS, DIPLOMATIC NOTES, PERSONNEL APPOINTMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 16 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MartinML
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750133-0030
From: BONN
Handling Restrictions: n/a
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